

FISCAL NOTE

SB 1165 - HB 1109

April 14, 1997

SUMMARY OF BILL: Requires the district attorney general to request transfer of a child, age 16 years and older to criminal court for any criminal offense, and of a child under 16 years of age, for first degree murder, second degree murder, rape, aggravated rape, aggravated robbery, especially aggravated robbery, kidnapping, aggravated kidnapping, especially aggravated kidnapping or any attempt of these offenses. Transfer shall be granted without current requirements that the court consider prior delinquent record, past treatment efforts, whether offense was aggressive and premeditated and possible rehabilitation of child.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures -	\$9,596,400/Incarceration*
Increase State Expenditures -	\$2,629,500 Recurring
	\$92,000 Non-Recurring
Increase Local Govt. Expenditures -	\$2,824,000 Recurring
	Exceeds \$2,000,000 Long Term

Estimated state expenditures are based upon the following:

- additional incarceration cost for juveniles in DOC as required by the Sentencing Act of 1985 (\$9,596,400)
- additional confinement to Department of Children's Services until offender reaches 16 years of age (\$1,657,500)
- additional cases at trial court level requiring two criminal judges, six assistant DAs, six assistant PDs (\$972,000 recurring, \$92,000 non-recurring)

Estimated local government expenditures are based upon the following:

- pre-transfer incarceration of juveniles (205 cases for 30 days at \$85 a day = \$522,800)
- pre-trial incarceration of juveniles (205 cases for 210 days at \$43 a day = \$1,851,200)
- additional cost to local education agencies to provide education to pre-trial jailed juveniles (\$450,000)
- assumes a one-time increase in cost to provide separation space for juveniles held in adult institutions and to construct additional space for housing juvenile offenders (exceeds \$2,000,000 long term)

*Section 9-6-119, TCA, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director